

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOHNSON & JOHNSON
HEALTH CARE SYSTEMS INC.,

:

Civil Action No. 22-2632

:

Plaintiff,

Hon. Jamel K. Semper, U.S.D.J.

: Hon. Cathy L. Waldor, U.S.M.J.

vs.

SAVE ON SP, LLC,

:

**ORDER GRANTING
MOTION TO SEAL**

:

Defendant.

:

THIS MATTER having been brought to the Court, and referred to the undersigned Special Master, upon the motion [ECF No. 359] of Plaintiff Johnson & Johnson Health Care Systems Inc. (“JJHCS”), by and through its attorneys, seeking an order to (a) permanently maintain under seal the letters and supporting exhibits filed by counsel for the parties regarding (i) Defendant Save On SP, LLC’s Motion to Compel Discovery from “Janssen Market Research,” dated May 21, 2024, with related briefing on May 31 and June 7, 2024 (the “Motion to Compel,” ECF Nos. 330, 331, and 357, filed July 3, 2024 and August 27, 2024), and (b) permit JJHCS to file the proposed public versions of ECF Nos. 330, 331, and 357, attached as Exhibit A to the Declaration of Jeffrey J. Greenbaum submitted in support of this motion (“Greenbaum Declaration”); the Special Master having considered the motion, and

no objections having been made, pursuant to Fed. R. Civ. P. 78, makes the following findings of fact and conclusions of law, pursuant to L. Civ. R. 5.3(c)(6):

- (1) As to JJHCS's request to seal its confidential materials, the letters and the exhibits thereto (collectively, "the Confidential Materials") contain information that is non-public business, trade secret and/or proprietary information involving the administration of the Janssen CarePath Program and the JJHCS business.
- (2) The Confidential Materials contain highly sensitive, proprietary business information of JJHCS that is not known to the general public.
- (3) JJHCS has safeguarded and protected the confidentiality of the Confidential Materials, including throughout the pendency of this action.
- (4) JJHCS would suffer substantial and specific harm, including but not limited to, potential financial damage and disclosure of competitive business information through the divulgence of such confidential information and that JJHCS has a strong and legitimate interest in protecting this confidential information from being disclosed to the public.
- (5) The Confidential Health Information would be improperly revealed to the public if the Confidential Materials were filed on the public docket.

(6) Indeed, no less restrictive alternative to sealing exists and that JJHCS has proposed redactions where appropriate to minimize the amount of sealing necessary.

(7) For these reasons, good cause exists for protecting the Confidential Materials pursuant to Fed. R. Civ. P. 26(c)(1)(G) and L. Civ. R. 5.3(c)(2).

IT IS on this 10th day of September, 2024,

ORDERED that pursuant to L. Civ. R. 5.3, the JJHCS Confidential Materials are confidential and entitled to protection; and it is further

ORDERED that the Motion to Seal [EFC No. 359] is **GRANTED** and ECF Nos. 330, 331, and 357 are hereby permanently **SEALED**; and it is further

ORDERED that the Clerk of Court shall maintain the unredacted versions of the Motion to Seal at ECF Nos. 330, 331, and 357 under seal; and it is further

ORDERED that JJHCS is directed to file the redacted versions of ECF Nos. 330, 331, and 357, including all exhibits, consistent with their proposed redactions submitted herewith.

/s/ Freda L. Wolfson
Hon. Freda L. Wolfson (ret.)
Special Master